

2018 Jul-23 PM 04:26
U.S. DISTRICT COURT
N.D. OF ALABAMA

STYLE: U.S. v. Gilbert, et al.

CASE NUMBER: 2:17-cr-000419-AKK-TMP

N O T O F F E R E D	N U M B E R	I D E N T I F I E D	RULING ON OBJECTION (if any)			RULING ON REOFFER		R E C D. C O N D. O R L T D.	R E C E I V E D	EXHIBITS DEFENDANTS
			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	511									Oliver Robinson Get Smart
	512	✓							7/11/18	3.10.16 email Gilbert to Powe, Amanda Robinson re: additional Get Smart questionnaires
	513	✓							7/11/18	4.20.16 email Gilbert to Amanda Robinson changes to letter
	514									4.27.16 email Gilbert to Roberson, Thompson, Richey, Godfrey, Comensky re: AJE update
	515									2016 (Feb.-June) texts Amanda Robinson to Gilbert
	516									2016 (Feb.-Dec.) texts between Gilbert & Powe
	517									12.12.14 email Gilbert to Blake Andrews, McKinney, Roberson Robinson meeting with Toney
	518									12.12.14 email Gilbert to Andrews re: report back from meeting
	519									12.12.14 Alabama Department of Environmental Management Commission Meeting Minutes Transcript
	520									2.6.15 email Irving Jones to Robinson, Gilbert, Roberson

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			SUS	O/R	RES	SUS	O/R			DEFENDANTS
										DESCRIPTION
	531									12.15.15 emails Linda Shaper, Carolyn Jeff, Chelsea Jones re: \$10,875 check to Robinson Foundation
	532									2.13.15 emails Roberson, Carolyn Childers, Jamie Ingle, Gilbert, Linda Shaper with attached Balch invoice for Robinson Foundation to Drummond (2 months contract)
	533									2.12.15 emails Gilbert, Blake Andrews re: how to handle payment for Robinson (gilbert_email_drummond_OR_pay.pdf)
	534									2.12.15 email Gilbert, Linda Shaper, Dena Cote, Chelsea Jones re: correct entity to pay
	535									9.4.14 Tarrant City Council Meeting Minutes
	536									9.5.14 Resolution 7955 signed by Loxcil Tuck, Lillian A. Keith, City Clerk
	537									Undated letter from Mayor Tuck to Citizens of Tarrant
	538	✓							7/2/18	8.3.16 EPA Franklin Hill to Tuck
	539									2.22.16 EPA to Tuck
	540									3.30.16 EPA Hill to Tuck

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	551	✓							6/28/18	Balch billing statements 35th Ave. Superfund
	552	✓							6/28/18	Balch billing statements GASP petition
	553	✓							6/28/18	Balch billing statements government relations
	554									12.7.15 EPA letter to Lance LeFleur from Heather Toney with attached ADEM letter dated 10.20.15
	555									10.23.14 letter Luther Strange, AL Attorney General to Heather Toney EPA (with handwritten notes) with attached email exchanges, letters, LeFleur & others
	556									10.30.14 letter from six AL US Congressman to EPA Toney re: concerns about EPA activities in Birmingham
	557									8.25.14 Governor Bentley letter to LeFleur, cc: Phillip Davis
	558									8.25.14 Governor Bentley letter to Mayor Bell re: concerns about EPA actions in Birmingham
	559									9. .15 draft letter Shelby/Sessions to Gina McCarthy and Heather Toney, EPA
	560									3.29.16 letter Heather Toney to Representative Gary Palmer

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			SUS	O/R	RES	SUS	O/R			DEFENDANTS
										DESCRIPTION
	611									7.20.16 email Suzanne Burger to Gilbert, Shaper, Crutcher re: Greenetrack draft agreement with Robinson
	612									2.9.15 Oliver Robinson Foundation invoice to Balch for service provided – community involvement \$14,000
	613									Balch check 402024 dated 2.12.15 for \$14,000 to Oliver Robinson Foundation
	614									Email correspondence to, from, among Gilbert, McKinney, Balch accounting regarding payment of Oliver Robinson Foundation invoice
	615									10.9.14 902 Jefferson County Commission Resolution in opposition to 7.1.14 GASP petition
	616									10.9.14 Jefferson County Commission resolution supporting City of Tarrant in opposition to GASP petition
	617									GASP Petition 7.1.14 Propst to Toney
	618	✓								8.3.16 email Robinson to Gilbert re: ethics commission deadlocks article / agreement with Robinson no vote
	619	✓							7/11/18	Journal Session 2015
	620									6.3.15 Rules Committee Vote tally sheet

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	621									SJR 97 by Senator Waggoner 6.4.15 Act. No. 2015-426 (final)
	622									SJR97 Engrossed version
	623									SJR97 Enrolled version
	624									SJR97 Introduced version
	625									6.29.15 EPA letter to Propst in response to preliminary assessment petition 6.29.15
	626									9.8.14 LeFleur ADEM letter to Governor Bentley response to 9.4.14 request for briefing, Toney, Mayor Bell
	627	✓							7/17/18	1.23.15 letter LeFleur ADEM to Propst re: comments at AEMC meeting
	628									1.20.15 Richard Glaze (Balch) letter to EPA comments and exhibits supporting ABC Coke's objections
	629	✓							7/2/18	1.20.15 Richard Glaze letter to Lodin re: ABC's detailed response to EPA's offer to conduct work at 35th Ave. superfund site
	630									1.13.15 LeFleur ADEM letter to EPA

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	631	✓							7/2/18	8.27.14 Richard Glaze (Balch) letter to Toney at EPA ABC Coke's response to GASP petition
	632									4.21.15 ATSDR Public Health Assessment for Evaluation of Air Exposures in Communities adjacent to 35th Ave. Site Birmingham
	633									3.31.16 letter Tuck to Franklin Hill at EPA
	634									Website capture – GASP
	635									Federal Register Vol. 79, No. 183 9.22.14 proposed rules
	636									9.20.13 EPA to Curtis Jones at Drummond – general notice letter
	637									Withdrawn
	638									4.20.16 email Amanda Robinson to Gilbert re: community outreach
	639									3.4.15 email Jacqueline Tymes to Gilbert with attached 3.4.15 House Robinson letter to LeFleur
	640									12.22.14 email Gilbert to Blake Andrews, Roberson, McKinney re: Robinson questions for GASP

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			SUS	O/R	RES	SUS	O/R			DEFENDANTS
										DESCRIPTION
	651									10.15.14 Balch Drummond meeting agendas
	652									10.1.14 Balch Drummond meeting agenda
	653									2016 (April-Aug.) texts between Gilbert and Robinson
	654									SAT Initiative Tarrant Elementary School 6.1.11
	655	✓							7/5/18	Compilation of community comments
	656	✓							7/11/18	10.26.15-10.27.15 Amanda Robinson to Gilbert, Roberson emails regarding survey results
	657									10.26.15 email Jeff to Jones requesting Robinson Foundation check
	658	✓							7/5/18	Parcel ownership research list Tarrant
	659	✓		✓					7/11/18	Brochure/ Hand Bill handwritten notes
	660	✓							7/5/18	Get Smart Church Visitation schedule

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										DESCRIPTION
	661	✓							7/5/18	Flyer for Lilly Baptist Church informational meeting 3.8.16
	662	✓							7/14/18	12.14.15 email Amanda Robinson with Hezekiah Jackson
	663	✓		✓					7/14/18	3.9.16 correspondence Amanda Robinson and Hezekiah Jackson
	664									11.18.15 Hezekiah Jackson to Amanda Robinson, Oliver Robinson
	665	✓							7/14/18	3.14.16 agenda meeting Inglenook Neighborhood Association
	666									2.8.15 Inglenook monthly meeting minutes Carolyn Cauthen, President
	667	✓							7/14/18	Get Smart Tarrant slide deck
	668	✓							7/14/18	Letter to parents from Amanda Robinson regarding 2016 Coat Drive
	669									11.2.15 email Oliver Robinson to Amanda Robinson re: itemized Get Smart Invoice
	670									Get Smart Invoices composite all invoices

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	691									
	692									
	693									12.23.14 email Gilbert to Andrews, McKinney, Roberson re: recording of Oliver's meeting with GASP
	694									10.27.15 email Gilbert to Amanda Robinson, Roberson, Powe re: update from surveys
	695									4.14.16 email Gilbert to Amanda Robinson, Powe re: community outreach
	696	✓								2.9.16 email Gilbert to Amanda Robinson, Powe, Roberson re: Tarrant Elementary School
	697									2.3.16 email McBride to Gilbert re: attend meeting
	698									10.16.15 email Gilbert to Richey, Bowden, Thompson, Roberson, McKinney re: draft AJE letter, etc.
	699									12.16.14 email Gilbert to Roberson, Andrews, McKinney re: follow up from last week's meeting with EPA
	700									7.13.16 email Gilbert to Messier, Roberson re: AJE disseminate to neighborhoods

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	701									5.24.16 email Gilbert to Roberson, Thompson, Richey, others re: House Oversight Committee
	702									2.23.16 email Gilbert to Roberson, Thompson, Godfrey, Richey, Bowden re: initial results of Get Smart Survey
	703									2.23.16 Amanda Robinson email to Gilbert re: obtaining ownership information for properties
	704									3.10.16 email Gilbert to Roberson, Thompson, etc. re: Get Smart questionnaire
	705									4.14.16 email Gilbert to Roberson, Thompson, etc. re: final results
	706	✓							7/2/18	4.21.16 email Gilbert to Roberson, Thompson, etc. re: AJE update on community outreach
	707									4.21.16 email Gilbert to Andrews, Jones, Roberson, McKinney, Samuels, others re: update on outreach
	708									4.27.16 email Gilbert to Roberson, Thompson, etc. re: AJE update, EPA Tarrant activities
	709									4.27.16 email Gilbert to Andrews, Jones, Roberson, McKinney, Samuels others community outreach
	710									4.27.16 email Amanda Robinson to Gilbert re: meeting with Melick

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	711									5.24.16 email Gilbert to Roberson, Thompson, etc. re: House Oversight
	712									10.16.15 email Gilbert to Richey, Bowden, Thompson, McKinney re: draft AJE letter
	713	✓							7/5/18	Get Smart sampling/testing questionnaires
	714	✓							7/5/18	Get Smart general attitudes questionnaires
	715									2.5.15 Complaint filed by Ludder re: issuance of permit to ABC Coke
	716									5.21.15 email Trey Glenn to Spears with draft resolution
	717									6.12.13 letter EPA Lodin to Drummond, Dwight Hicks re: supplemental request for information
	718									Lewis Elementary School Additional assessment
	719									Lewis Elementary School initial analysis
	720									2.9.18 EPA memorandum from Kristy Eubanks to Randall Chaffins re: Superfund cost documentation

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	731									Tarrant Access Agreements / Authorizations
	732									Tarrant Tech report 2009 study
	733									6.29.15 email Anita Davis to Neema Atashi, Swalts re: with attached Final Pinson Valley preliminary assessment
	734									6.29.15 email Anita Davis to Neema, Swalts FAQs Pinson Valley neighborhood preliminary assessment
	735	✓							6/27/18	12.15.14 handwritten notes Gilbert re: Drummond
	736									12.15.14 email Roberson to McKinney, Gilbert re: ADEM meeting
	737									12.15.14 email Gilbert to Richard Owens, Poling, Mason, Roberson, others with summary of GASP presentation to AEMC
	738									12.15.14 Roberson, McKinney, Gilbert to Curt Jones and Blake Andrews with audio file from EPA meeting
	739									12.17.14 Gilbert email to Roberson, McKinney spoken to governor's office to make aware of what is going on, call to Tambling, Turner
	740									Drummond staff meeting notes 10.1.14

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	741	✓							7/16/18	Drummond staff meeting notes 10.15.14
	742									Drummond staff meeting notes 10.8.14
	743									10.1.14 tentative Drummond staff meeting
	744									12.19.14 email Roberson to Gilbert, Glenn, Phillips re: letter from ADEM
	745									12.19.14 email Gilbert to Glenn, Phillips ADEM's draft NPL
	746									1.22.15 Robinson note Sam Nunn Atlanta Federal Center North Birmingham Federal Interagency Work Group Meeting on environmental justice
	747									2.16.15 email Gilbert to Roberson re: job keeper's action items re: GASP
	748									Oliver Robinson composite
	749									Oliver Robinson contact sheet
	750									2.20.15 Agenda meeting of AEMC with attached 1.28.15 Alabama Rivers Alliance letter to AEMC

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	791									10.21.15 Meeting document Gilbert, Roberson, Amanda Robinson
	792									10.23.15 Gilbert to Amanda Robinson, Roberson with ADEM's letter to EPA, etc.
	793									Withdrawn
	794									10.28.15 Gilbert to Roberson, Powe, Amanda Robinson 90 residences and 22 lots identified by EPA
	795									10.29.15 Gilbert to Roberson, Oliver Robinson re: message from Delli-Gatti
	796									10.30.15 Robinson to Gilbert draft flyer for Tarrant
	797									11.9.15 Roberson draft financials for AJE
	798	✓								11.9.15 Email Amanda Robinson to Gilbert reporting meeting with Tuck, Waggoner, attorney
	799									11.23.15 Amanda Robinson to Gilbert photos of yard signs
	800									List of properties that want signs

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	831									9.29.16 email Gilbert to Shaper, Roberson revised bill to AJE
	832									10.6.16 Gilbert to Roberson recent proposal from Get Smart for Kingston and Norwood
	833									10.12.16 email Gilbert to Robinson, Powe re: Tarrant flyer
	834									10.14.16 email Powe to Gilbert new Get Smart proposal
	835									10.17.16 email Powe to Gilbert, Roberson biweekly report
	836									Withdrawn
	837									11.3.16 Carolyn Jeff for W9's for Oliver Robinson Foundation and AJE
	838									11.9.16 Powe to Gilbert summary WE 10/30
	839									12.1.16 Gilbert to Roberson article from Alabama Political Reporter re: Robinson resignation
	840	✓							6/27/18	12.15.14 Gilbert email to Butrus re: need to talk

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	921									5.1.16 Gmail emails Amanda Robinson to Hezekiah Jackson
	922									4.28.16 Gmail emails Amanda Robinson to Melick
	923									5.19.16 Gmail emails Melick to Amanda Robinson
	924									5.19.16 Gmail emails Melick to Amanda Robinson
	925									6.1.16 Gmail emails Hezekiah Jackson to Amanda Robinson
	926									Sample location list
	927									Draft affidavits
	928									Bank deposit slips
	929									11.10.14 memo Roberson to Drummond, Tracy, Webster draft outline communications campaign
	930 A	✓ ✓								

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	971									7.31.14 letter LeFleur to Mayor Bell re: proposed superfund site with attached 4.2.14 EPA letter to Davis
	972									8.25.14 letter Governor Bentley to Mayor Bell re: superfund site
	973									8.28.14 letter Mayor Bell to McTeer Toney considering petition by GASP
	974									8.28.14 Gilbert email to Elliott, Davis, LeFleur, Roberson, others re: ABC Coke's response to GASP petition
	975									9.4.14 email LeFleur to Byrne re: proposed NPL listing
	976									9.8.14 email Hammett to LeFleur, Byrne re: 9.8.14 letter to Bentley
	977	✓							7/9/18	9.8.14 email Barnett to LeFleur draft revisions to letter to Bentley
	978									9.16.14 email Hammett to LeFleur re: NPL listing
	979									9.17.14 email McCarthy to LeFleur re: NPL listing
	980									9.17.14 email LeFleur to Boxler re: NPL listing

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	1011									1.13.15 letter ADEM LeFleur to EPA re: proposed NPL listing
	1012									1.14.15 email Debi Thomas to LeFleur, Lanier Brown, Phillips, others re: Dr. Propst from GASP, 12.12.14 EMC presentation
	1013									1.15.15 email Barnett to LeFleur, others re: AG 35th Ave. superfund comment letter Strange comments
	1014									1.20.15 email Barnett to LeFleur, others re: Alabama Gas Sid Trent comments to NPL listing proposal
	1015									1.20.15 email Mowrey to LeFleur, Barnett re: comments NewFields
	1016									1.20.15 Attorney General Strange letter to EPA comments in response to EPA, not supporting
	1017									1.23.15 ADEM LeFleur letter to Propst re: 12.12.14 comments
	1018									1.23.15 email Echols to LeFleur re: response to 1.12.15 letters to EMC
	1019	✓								1.27.15 email Lanier Brown to LeFleur re: ATSDR shows no human risk
	1020									1.27.15 email Lanier Brown to LeFleur re: ADEM should make challenge

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	1041									7.24.15 email Phil Davis to LeFleur re: ATSDR news room
	1042									9.8.15 letter GASP Lewis to Toney, EPA air monitoring 2015
	1043									10.19.15 email Terry Richardson to LeFleur, Lanier Brown, others re: Get Smart irresponsible
	1044									12.7.15 EPA letter to LeFleur in response to 10.20.15 letter
	1045									9.30.15 letter Robert Mowrey to Agency for Toxic Sustances and Disease Registry
	1046									10.18.15 email Lanier Brown to LeFleur, others re: Amanda Robinson letters, documents
	1047									10.19.15 email Paul Davis to LeFleur, Barnett, Elliott re: Tarrant response to HLB
	1048	✓							7/6/18	10.20.15 ADEM LeFleur letter to Toney EPA re: SJR97
	1049									10.20.15 email Terry Richardson to LeFleur re: engagements with EPA
	1050									10.20.15 email James Laier to Richardson, LeFleur, Lanier Brown, others response to Richardson 10.19.15 email

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	1111									11.20.14 memo to Mr. Drummond, Mike Tracy and Bruce Webster from Roberson
	1112	✓							7/11/18	11.6.15 OR issues emails Lineberry to Butrus re: 2011 form 990s, articles of incorporation Oliver Robinson Foundation
	1113									1.5.16 Gilbert to Amanda Robinson re: Benson property
	1114									11.12.15 letter Ben Goldman to Gilbert re: City of Tarrant
	1115									4.21.16 email Tuck to Hill re: Get Smart affidavits
	1116									7.1.16 email Stoeffhaas to Goldman, Gilbert re: Tarrant/EPA
	1117									10.21.13 email Samuels to Glaze, Moore, Strube re: PowerPoint for Drummond
	1118									11.20.13 email Gilbert to Moore, McKinney, Strube, Glaze re: 35th Ave. availability for individual liability discussions
	1119									10.1.14 meeting notification Drummond, Glaze, Strube, McKinney, Gilbert, others with 9.30.14 email
	1120									1.3.16 email Amanda Robinson to Gilbert re: recent information

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	1131									1.5.16 email Amanda Robinson to Gilbert re: data from phase 2
	1132									1.6.16 email Amanda Robinson to Gilbert re: Benson
	1133									7.18.16 email Gilbert to Boldman re: Teck Cominco case
	1134									1.13.16 draft potential discussion items for City of Tarrant
	1135									3.7.16 email Wendel to Gerald Hardy re: background sampling for Tarrant
	1136									10.21.15 email Gilbert to Goldman re: ADEM letter Tarrant
	1137									9.3.14 email Tuck to Keith with Gilbert to Goldman email re: revised Tarrant resolution re: GASP petition
	1138	✓							4/28/18	Tiered Compensation System
	1139									7.1.15 email Gilbert to Ben Goldman re: Pinson Valley
	1140									11.12.15 email Gilbert to Ben Goldman re: COC invitation

STYLE: U.S. v. Gilbert, et al.

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	1161	✓							7/5/18	1.10.14 email Glenn to David Moore re: SEC action items
	1162									Gilbert Alabama Water Resources conference and compensation
	1163									2015 Balch partner billing
	1164									2.22.16 email Miceli to Tim Tracy re: compensation
	1165									1.14.16 email Jardine to Russell Henderson, others re: Get Smart Tarrant campaign
	1166									February 2015 Balch billing chart
	1167									Skeo EPA contract
	1168									Tetra Tech EPA contract
	1169									Accura EPA contract
	1170									2.18.16 Save the Date North Birmingham Federal Interagency Working Group

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			SUS	O/R	RES	SUS	O/R			DESCRIPTION
	1171	✓	✓							8.19.14 email Anita Davis to Anderson, Brown, Delli-Gatti, others re: North Birmingham communications plane
	1172									6.24.14 revision North Birmingham Communication plan
	1173									Executive Summary of 8.4.14 Federal Interagency working group meeting Heather Toney
	1174									2.24.12 Draft Communications Outreach Strategy EPA
	1175									7.16.14 email Anita Davis to Sue Casteel re: 8.4.14 North Birmingham meeting
	1176									3.12.16 PowerPoint North Birmingham Interagency Working Group for Environmental Justice
	1177									5.9.16 email Anita Davis to Caroline Freeman re: citizen nomination William Parker
	1178	✓							7/3/18	3.18.05 IRS notice to Oliver Robinson Foundation re: tax exempt
	1179									10.38.13 invoice Robinson & Robinson to Birmingham Shuttlesworth International Airport
	1180									Robinson & Robinson invoices to Regions

[illegible]

1277	✓						7/9/18	12.4.14 letter from Stanislaus to Strange re: proposed 35 th Ave. Site
1278	✓						7/9/18	11.20.14 Chaffins to Tambling re: AG's comment letter to EPA
1279								
1280								
1281								
1282								
1283								
1284								
1285								
1286								
1287	✓						7/12/18	1.2.15 email Gilbert to Jones re: follow up from last week's meeting with EPA
1288	✓						7/12/18	1.2.15 email Gilbert to Jones re: EPA reps
1289	✓						7/12/18	1.7.15 calendar entry re: Robinson conference call
1290	✓						7/12/18	1.8.15 email from Gilbert to Jones re: Robinson contact info
1291								
1292								
1293								
1294								
1295								
1296								
1297								
1298	✓						7/12/18	2.10.15 email Jones to Gilbert re: OR letter
1299	✓						7/12/18	2.2.15 email Jones to DeLawrence re: SC&E agreement
1300	✓						7/12/18	1.21.15 email Jones to Powe re: uploading instructions